

### **REMARKS**

Claims 1-2, 5, 8, 10-16, 19-24, and 27 are now pending in the application. By this amendment, claims 1-2, 5, 8, 10, 12, and 27 are cancelled without prejudice, claims 11 and 13-16 are amended, and claims 28-32 are added. Favorable consideration and allowance of the pending claims is respectfully requested.

### **REJECTION UNDER NONSTATUTORY DOUBLE PATENTING**

Claims 1-2, 5, 8, 12-16, 19, 21-22, and 27 stand rejected on the ground of nonstatutory obviousness-type double patenting, as being unpatentable over claims 1, 3, and 8 of U.S. Patent No. 7,313,429. Claims 5, 8, 10-12, and 27 stand rejected on the ground of nonstatutory obviousness-type double patenting, as being unpatentable over claim 1 of U.S. Patent No. 7,019,610. Claims 1-2, 5, 8 and 19-24 stand rejected on the ground of nonstatutory obviousness-type double patenting, as being unpatentable over claims 3-4, 13-14, and 17 of U.S. Patent No. 7,264,584.

Claims 1-2, 5, 8, 10, 12, and 27 have been cancelled without prejudice and thus, the rejection under nonstatutory obviousness-type double patenting is rendered moot.

While Applicants do not acquiesce in the double patenting rejections of claims 11, 13-16, and 19-24, Applicants nevertheless file simultaneously herewith a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c) for purposes of expediting prosecution. Accordingly, Applicants submit the nonstatutory obvious-type double patenting rejections are overcome, and claims 11, 13-16, and 19-24 are allowable. Reconsideration and withdrawal of the double patenting rejection of these claims is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-2, 5, 8, 10-16 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsutani (U.S. Pat. No. 4,875,485) in view of Creighton (WO 99/23934).

In an effort to expedite prosecution, Applicants have cancelled rejected claims 1-2, 5, 8, 10, 12, and 27 hereby without prejudice or disclaimer to the subject matter contained therein and without conceding or taking any position as to the merits of the rejections of any of the rejected claims. Applicants reserve the right to re-file any and all cancelled claims and contest the rejections thereof in one or more subsequent applications.

Applicants have amended claims 11 and 13-16 to ultimately depend from independent claim 19. By making these claim amendments herein, however, Applicants do not necessarily agree or acquiesce with each statement in the Office action as to why claims are allowable/allowed or why claims have been rejected.

Thus, for the foregoing reasons, the Examiner's rejections to remaining claims 11, 13-16, and 19-24 are rendered moot. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejections and issue a notice of full allowance for the application.

### **NEW CLAIMS**

Claims 28-32 are added by this amendment. The new claims depend from independent claim 19. The new claims incorporate the allowable features of claim 19. No new matter is added by these claims. Favorable consideration and allowance of these claims is respectfully requested.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the Action and the present application is in condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7505.

Respectfully submitted,

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